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N.J. BOARD OF NURSING

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
	:	
Darianna M. Chirino, RN	:	ORDER OF SUSPENSION
License #26NR16139100	:	OF LICENSE
	:	
TO PRACTICE NURSING IN	:	
THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information indicating the following:

1. Darianna M. Chirino ("Respondent") is a Registered Professional Nurse (RN) in the State of New Jersey and has been

a licensee at all relevant times. (Exhibit A).

2. Respondent entered into a private letter agreement ("PLA") with the Board on or about January 10, 2014. The agreement required, in part, that Respondent enroll in and comply with the Board's designated intervention program, the monitoring, and treatment, including random screens. The agreement, which was to remain private and confidential unless and until the Board received reliable information that Respondent had violated any term, was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. (Exhibit B).

3. Respondent was arrested on April 25, 2015 by Stratford Police and charged with violating N.J.S.A. 2C:35-10A(1) (Possession of Controlled Dangerous Substances (CDS)), N.J.S.A. 2C:35-10C (Failure to Give CDS to Police), and N.J.S.A. 2C:36-2 (Possession of Drug Paraphernalia). (Exhibit C). Respondent failed to notify the Board or RAMP of the April 2015 arrest. (Exhibit E).

4. Respondent was arrested on June 17, 2015 by Laurel Springs Police and charged with violating N.J.S.A. 2C:36-2 (Possession of Drug Paraphernalia) and N.J.S.A. 2C:36-6 (Possession of Hypodermic Needle). (Exhibit D). Respondent

notified RAMP on July 6, 2015, that she had been arrested on June 17, 2015. (Exhibit E).

5. Respondent failed to attend multiple peer support meetings (May 26, 2015, June 9, 2015, and June 16, 2015. (Exhibit E).

6. Respondent failed to undergo five randomly scheduled screens (April 30, 2015, May 28, 2015, June 5, 2015, June 22, 2015, and July 8, 2015). (Exhibit E).

7. Respondent failed to check-in on a daily basis with the online monitoring system which randomly schedules screens (36 missed check-ins from January 2015 to July 2015). (Exhibit E).

8. Respondent failed to follow RAMP's recommendation to limit her nursing practice by failing to place her license on "inactive" status. (Exhibit E).

9. Respondent failed to follow RAMP's recommendations and attempts to re-direct her towards compliance. (Exhibit E).

10. Respondent failed to successfully complete RAMP by being discharged from the program for noncompliance on July 8, 2015. (Exhibit E).

11. RAMP cannot assure the Board or the public that Respondent is safe to practice. (Exhibit E).

12. Respondent was arrested on September 17, 2015 by Berlin Police and charged with violating N.J.S.A. 2C:36-2 (Possession of Drug Paraphernalia) and N.J.S.A. 2C:36-6 (Possession of Hypodermic Needle).

13. On November 17, 2015, a communication was sent to Respondent at her address of record by overnight and regular mail, advising Respondent that the Board had received information indicating that she was not in compliance with the private letter agreement, and with her agreement with RAMP. Respondent was further advised to provide the Board with proof of any inaccuracy in that information within two weeks. (Exhibit F). No response was received.

14. The private letter agreement signed by Respondent provided for automatic suspension of Respondent's nursing license upon receipt of reliable information indicating that Respondent had violated any term of the private letter agreement. The agreement states that Respondent may, upon notice to the Board, request a hearing to contest the automatic suspension; however, at any such hearing, the sole issue shall be whether any of the information received regarding Respondent's violation of the agreement was materially false. The Board also reserved the right to bring further disciplinary

action. (Exhibit B).

15. Respondent violated the private letter agreement by: failing to notify the Board or RAMP about her April 2015 arrest; failing to attend multiple peer support meetings (May 26, 2015, June 9, 2015, and June 16, 2015); failing to undergo five randomly scheduled screens (April 30, 2015, May 28, 2015, June 5, 2015, June 22, 2015, and July 8, 2015); failing to check-in on a daily basis with the online monitoring system which randomly schedules screens (36 missed check-ins from January 2015 - July 2015); failing to follow RAMP's recommendation to limit her nursing practice by failing to place her license on "inactive" status; failing to follow RAMP's recommendations and attempts to re-direct her towards compliance; and failing to successfully complete RAMP by being discharged from the program for noncompliance. Each violation of the private letter agreement constitutes a violation of N.J.A.C. 13:45C-1.4, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e), and automatic suspension of her license as provided in the private letter agreement.

ACCORDINGLY, IT IS on this 21st day of December, 2015,
HEREBY ORDERED that:

1. Respondent's license to practice nursing in the State

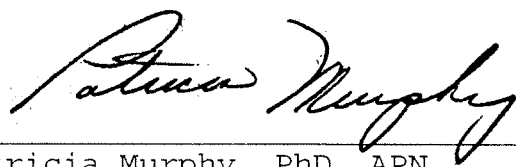
of New Jersey is hereby suspended for her violation of the terms of the private letter agreement as set forth above, which is a violation of a Board Order within the intendment of N.J.A.C. 13:45C-1.4 and N.J.S.A. 45:1-21(e).

2. Respondent may, under the terms of the private letter agreement, request a hearing, upon notice, on the sole issue of whether information received that Respondent has failed to comply with the terms of the private letter agreement was materially false.

3. In the event that Respondent seeks reinstatement of her New Jersey nursing license at any future time, the Board shall not entertain any application for reinstatement without a demonstration by Respondent that she is fit and competent to practice, in full compliance with the terms and conditions of the private letter agreement, and with any agreement with RAMP, and that RAMP supports her reinstatement.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Murphy, PhD, APN
Board President